

Remarks

Reconsideration and withdrawal of the rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-4, 7, and 13 remain pending in the application, with Claim 1 being independent. Claims 1, 2 and 4 have been amended herein.

The specification has been amended herein to clarify that the torsion compression coil spring can compensate for any play or slop along the rotary shaft. This change is supported at least by the rest of the description in the affected paragraph, Fig. 5, and original Claim 10. Favorable consideration is requested.

Claims 1-4, 7, 13/1-13/4 and 13/7 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,233,426 (Lee et al.) in view of U.S. Patent No. 5,541,712 (Fujitaka et al.). This rejection is respectfully traversed.

As is recited in independent Claim 1, the present invention relates to an original cover of an image reading apparatus including a cover member and a hinge member. The cover member covers an original placed on an original stand and the hinge member has one end thereof pivotally supported by the cover member and the other end thereof mounted on and pivotally supported by the original stand. The cover member is biased in a direction in which the cover member is opened with respect to the hinge member and is further biased in a direction parallel to an axis of a rotary shaft of the hinge member by a spring.

Lee et al. is directed to a cover assembly for an image processing system including two articulating links 44, a rigid cover member 46, and a document retaining path 48. As recognized by the Examiner, Lee et al. does not disclose at least the features of the spring. Accordingly, Lee et al. fails to disclose or suggest at least that the cover member is biased in a direction in which the cover member is opened with respect to a hinge member and is further biased in a direction parallel to an axis of a rotary shaft of the hinge member by a spring, as is recited in independent Claim 1.

Thus, Lee et al. fails to disclose or suggest important features of the present invention recited in independent Claim 1.

Fujitaka et al. is directed to a document pressing device in a copier. A torsion spring 40 is loaded between a holder member 36 and a bracket 39 to bias the bracket clockwise. Another spring 44 is loaded between sleeves 41 and 42 to press a document laid on glass platen 33. The Office Action suggests that Fujitaka et al. describes at column 10, lines 1 to 10 that a bias occurs along the length of the rotary shaft. It is respectfully submitted that this description in Fujitaka et al. does not support this position. It may disclose an image reading apparatus having a main body, a hinge member, a pressure plate and a spring that biases the pressure plate in the open and close direction about a rotational axis. It is respectfully submitted, however, that Fujitaka et al. does not in any manner disclose or suggest the feature of Claim 1 of biasing a cover member in a direction parallel to an axis of a rotary shaft of a hinge member by a spring. Thus, Fujitaka et al. fails to remedy the deficiencies of Lee et al. noted above with respect to independent Claim 1.

Thus, independent Claim 1 is patentable over the citations of record.

Reconsideration and withdrawal of the § 103 rejection are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claim 1. Dependent Claims 2-4, 7, and 13 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejection set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Mark A. Williamson
Attorney for Applicants
Registration No. 33,628

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MAW:amk

DC_MAIN 240662v1